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HOUSE BILL 53

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Andy Nuñez

AN ACT

RELATING TO WATER; AMENDING A SECTION OF THE WATER PROJECT
FINANCE ACT TO PROVIDE FOR MEMBERSHIP ON THE WATER TRUST BOARD
OF THE SECRETARY OF FINANCE AND ADMINISTRATION AND TO PROVIDE
FOR ELECTION OF THE CHAIR OF THE BOARD.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 72-4A-4 NMSA 1978 (being Laws 2001,
Chapter 164, Section 4) is amended to read:

"72-4A-4. WATER TRUST BOARD CREATED.--

A. The "water trust board" is created. The board
is composed of the following [~~fifteen~~] sixteen members:

(1) the state engineer or [~~his~~] the state
engineer's designee [~~who shall be the chairman of the board~~];

(2) the secretary of finance and
administration or the secretary's designee;

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1 [~~2~~] (3) the executive director of the New
2 Mexico finance authority or the executive director's designee;

3 [~~3~~] (4) the secretary of environment or
4 [~~his~~] the secretary's designee;

5 [~~4~~] (5) the secretary of energy, minerals
6 and natural resources or [~~his~~] the secretary's designee;

7 [~~5~~] (6) the director of the department of
8 game and fish or [~~his~~] the director's designee;

9 [~~6~~] (7) the director of the New Mexico
10 department of agriculture or [~~his~~] the director's designee;

11 [~~7~~] (8) the executive director of the New
12 Mexico municipal league or [~~his~~] the executive director's
13 designee;

14 [~~8~~] (9) the executive director of the New
15 Mexico association of counties or [~~his~~] the executive
16 director's designee;

17 [~~9~~] (10) five public members appointed by
18 the governor and confirmed by the senate and who represent:

19 (a) the environmental community;

20 (b) an irrigation or conservancy
21 district that uses surface water;

22 (c) an irrigation or conservancy
23 district that uses ground water;

24 (d) acequia water users; and

25 (e) soil and water conservation

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1 districts;

2 [~~(10)~~] (11) one public member appointed by the
3 [~~commission on~~] Indian affairs commission; and

4 [~~(11)~~] (12) the president of the Navajo Nation
5 or [~~his~~] the president's designee.

6 B. The chair of the board shall be elected by a
7 quorum of the board members. The board shall meet at the call
8 of the [~~chairman~~] chair or whenever three members submit a
9 request in writing to the [~~chairman~~] chair, but not less often
10 than once each calendar year. A majority of members
11 constitutes a quorum for the transaction of business. The
12 affirmative vote of at least a majority of a quorum present
13 shall be necessary for an action to be taken by the board.

14 C. Each public member of the board appointed by the
15 governor shall be appointed to a four-year term. To provide
16 for staggered terms, two of the initially governor-appointed
17 public members shall be appointed for terms of two years and
18 three members for terms of four years. Thereafter, all
19 governor-appointed members shall be appointed for four-year
20 terms. Vacancies shall be filled by appointment by the
21 governor for the remainder of the unexpired term.

22 D. Public members of the board shall be reimbursed
23 for attending meetings of the board as provided for nonsalaried
24 public officers in the Per Diem and Mileage Act and shall
25 receive no other compensation, perquisite or allowance.

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1 E. Public members of the board are appointed public
2 officials of the state while carrying out their duties and
3 activities under the Water Project Finance Act."

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